

Appl. No. 09/990,801
Amdt. Dated 9/28/2004
Reply to Office action of 8/11/2004

REMARKS/ARGUMENTS

This Amendment is in response to the Office Action mailed August 11, 2004. In the Office Action, claims 1-44 stand rejected under 35 U.S.C. § 112.

Applicant gratefully acknowledges that the Examiner has indicated that claims 1-44 are directed to allowable subject matter and would be allowable if amended to overcome the Examiner's 35 U.S.C. § 112 rejections. Applicant respectfully submits that Applicant has amended these claims to overcome the Examiner's rejections.

Reconsideration in light of the amendments and remarks made herein is respectfully requested.

Rejections Under 35 U.S.C. §112

Particularly, claims 1-44 stand rejected under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the written description requirement. More particularly, the Examiner alleges that the claims contain subject matter which is not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors at the time the application was filed, had possession of the claimed invention.

Applicant gratefully acknowledges that the Examiner has indicated that pending claims 1-44 would be allowable if amended to remove the "non-virtual" claim limitation.

The Examiner alleges that the limitation "non-virtual" is not supported in Applicant's original disclosure. Although Applicant respectfully disagrees, in order to expedite prosecution of the pending case, Applicant has amended claims 1, 7, 9, 16, 1, 21, 23, 29, 31, 36, and 38 to remove the "non-virtual" claim limitation as suggested by the Examiner.

Therefore, Applicant respectfully submits that all of the pending claims 1-44 are now in condition for allowance.

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Conclusion

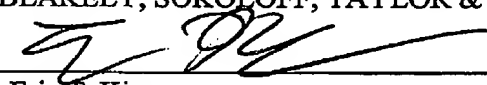
In view of the remarks made above, it is respectfully submitted that pending claims 1-44 define the subject invention over the prior art of record. Thus, Applicant respectfully submits that all the pending claims are in condition for allowance, and such action is earnestly solicited at the earliest possible date. The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application. To the extent necessary, a petition for an extension of time under 37 C.F.R. is hereby made. Please charge any shortage in fees in connection with the filing of this paper, including extension of time fees, to Deposit Account 02-2666 and please credit any excess fees to such account.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 9/28/2004

By


Eric T. King

Reg. No. 44,188

Tel.: (714) 557-3800 (Pacific Coast)

Attachments

12400 Wilshire Boulevard, Seventh Floor
Los Angeles, California 90025

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9/28/2004